

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-20257

MELVIN BEASLEY,

Defendant.

/

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT'S
REQUEST FOR ADDITIONAL JURY INSTRUCTIONS**

In preparation for the upcoming trial of this matter, the court transmitted to both the Government and Defendant proposed jury instructions. On July 25, 2012, Defendant filed a request for the inclusion of two additional instructions: one that concerns Defendant's indictment on multiple charges, and another that defines actual possession as an element of the charged crime of possession with intent to distribute a controlled substance. Having reviewed the requested instructions, the court will incorporate the instruction regarding the multiple crimes charged into the final jury instructions. However, because the substance of the suggested actual-possession instruction is already presented, virtually verbatim, in the court's proposed jury instructions, inclusion of that additional instruction would be superfluous. Accordingly,

IT IS ORDERED that Defendant's "Request for Additional Jury Instructions" [Dkt. # 90] is GRANTED IN PART AND DENIED IN PART. It is GRANTED with respect to the requested instruction labeled "Defendant Charged with Multiple Crimes," which will be included in the final jury instructions under the heading "Elements of the

Offense—Introduction.” It is DENIED with respect to the requested instruction labeled “Actual Possession.”

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 27, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 27, 2012, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522